

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 19, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Augustus Johnley

Case Number: 0980 2:18CR00003-TOR-1

Address of Offender: [REDACTED], Yakima, Washington 98901

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: December 19, 2018

Original Offense: Failure to Register as a Sex Offender, 18 U.S.C. § 2250(a)

Original Sentence: Prison - 18 months
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael James Austen Ellis

Date Supervision Commenced: May 22, 2019

Defense Attorney: Craig Webster

Date Supervision Expires: May 21, 2024

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 03/04/2021, 05/28/2021, 08/06/2021, and 09/21/2021.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #7: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Johnley is considered to be in violation of his supervised release conditions by consuming a controlled substance, methamphetamine, on or about October 1, 15 and 22, 2021.

On May 22, 2019, a U.S. probation officer met with Mr. Johnley upon his release from custody. Mr. Johnley reviewed and signed the judgment and sentence, which outlined the conditions of his term of supervised release.

On October 1, 2021, Mr. Johnley reported to the probation office and submitted a urinalysis (UA). The specimen was presumptive positive for methamphetamine. The specimen was sent to Alere Toxicology Services (Alere) laboratory for confirmation testing. On October 20, 2021, Alere reported the specimen was confirmed positive for methamphetamine.

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On October 15, 2021, Mr. Johnley reported to the probation office and submitted a UA. The specimen was presumptive positive for methamphetamine. The specimen was sent to Alere laboratory for confirmation testing. On October 24, 2021, Alere reported the specimen was confirmed positive for methamphetamine.

On October 22, 2021, Mr. Johnley reported to the probation office and submitted a UA. The specimen was presumptive positive for methamphetamine. The specimen was sent to Alere laboratory for confirmation testing. On November 2, 2021, Alere reported the specimen was confirmed positive for methamphetamine.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 19, 2021

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: ***All pending alleged violations of supervised release will be addressed at the Final Status/Revocation hearing set for 12/15/2021.***



Thomas O. Rice
United States District Court
November 19, 2021

Date